REMARKS

In the above-identified Office Action, the Examiner has proposed drawing corrections. The Applicant has corrected the drawings as suggested by the Examiner and now believes this requirement is considered fulfilled.

The Examiner has also rejected claims 5-10 as indefinite. Applicant, by the above amendments, believes that it has made clear the structural relationship between the epitaxial layer of the plural epitaxial layers and one of the plural epitaxial layers and other epitaxial layers. More specifically, only plural epitaxial layers are now claimed as well as individual ones of the plural epitaxial layers. This is believed to be clearer as to the relationship between the two.

Claims 5-7 and 10 have been rejected as anticipated by Toeda. Claims 5-7 and 10 are now recited as having a doping with nitrogen, something not found in Toeda and, accordingly, not considered to be anticipated by Toeda and allowable as such.

Claims 8 and 9 have been rejected as unpatentable over Toeda in view of Asano et al. Claims 8 and 9 have been amended to recite that the semiconductor substrate is doped with nitrogen, something neither Toeda nor Asano et al. teaches, nor would it be obvious to make such changes in the structure of Toeda, insofar as Asano et al. teaches doping with boron, phosphorous, antimony with arsenic or antimony possible used in substitution of phosphorous. There is no suggestion that the other dopants may be substituted for, thus, there is in fact a teaching away of using the impurities other than those taught.

Accordingly, even if one were to combine the teachings of Asano et al. with the Toeda, the resulting structure would not be that as claimed herein and would not be obvious to make such changes to dope with nitrogen. Accordingly Applicant believes that the entire structure as recited in the claims would not be obvious from the combination of Toeda and Asano et al.

As described on page 7, lines 8-10 of the specification, the N gettering performance improves when the silicon substructure is doped with nitrogen, and the Fe gettering performance also improves. Thus, the gettering performance can be improved by combining the plural epitaxial layers and the BMD (Bulk Micro Defect) formed by nitrogen doping.

Furthermore, since the gettering performance is improved, even if the temperature is lowered or the time is shortened in thermal process, the gettering performance can be maintained. As a result, among the plural epitaxial layers, layers have a high-concentration impurity can be thinner.

Applicant hereby requests reconsideration and reexamination thereof.

With the above amendments and remarks, this application is considered ready for allowance and applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, she is respectfully requested to call the undersigned at the below listed number.

Respectfully submitted,

Gerald T. Shekleton

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